

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

CRIMINAL #04-10288-RWZ

UNITED STATES

v.

JOSEPH ALLEN

DEFENDANT'S MOTION TO MODIFY CONDITIONS OF RELEASE

Joseph Allen, the defendant in the above-captioned criminal case, hereby moves this Court, pursuant to 18 U.S.C. § 3142(c)(3), to modify his conditions of release by permitting him to leave his home between the hours of 9:00 a.m. and 5:00 p.m. each Saturday so that he can engage in family activities with his longtime live-in girlfriend, Alicia Parisi, and their infant daughter, Gianna, born on October 31, 2004. As grounds therefore, defendant avers as follows:

1. Defendant Joseph Allen ["Allen"] has been on bail in this case since August 9, 2004, when he was released on conditions, including home incarceration and electronic monitoring.
2. Since his release more than eight months ago, Allen has complied fully with his conditions of release. Based upon previous modifications of release conditions allowed by the Court, Allen is currently working full-time in Beverly and attending four Narcotics Anonymous meetings per week in his home town of Gloucester.
3. Mr. Allen's daughter, Gianna, was born last October. He would like to be able to engage in family activities with Gianna and his longtime girlfriend, Alicia Parisi,

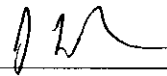
who is Gianna's mother.

4. In light of the protracted period of time which Mr. Allen has spent under strict conditions of release, the likely protracted period of time which remains until trial, and his excellent record of compliance to date, the modification requested herein is reasonable and will pose no cognizable risk of flight or danger to the community.

Respectfully submitted,

JOSEPH ALLEN

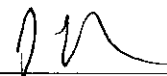
By his attorney,



James L. Sultan, BBO #488400
Rankin & Sultan
One Commercial Wharf North
Boston, MA 02110
(617) 720-0011

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing document upon the government by mailing a copy thereof, to AUSA David Tobin, Moakley Federal Courthouse, One Courthouse Way, Suite #9200, Boston, MA 02210 and US Pretrial Services Officer Christopher Wylie, Moakley Federal Courthouse, One Courthouse Way, Suite #1300, Boston, MA 02210 on April 14, 2005.



James L. Sultan